

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: City Council Process Session

Meeting Date: October 27, 2010
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: B
Staff Contact: Keli Osborn/Beth Forrest
Contact Telephone Number: 541-682-5406/541-682-5882

AGENDA ITEM SUMMARY

This work session is part of an ongoing opportunity for the City Council to discuss how it conducts its business. The council meets periodically to talk about its processes and operating agreements.

BACKGROUND

The most recent process sessions occurred in June and August 2010. To recap, the council has affirmed the following:

1. Postponing action or work session items at a councilor's request

Staff presented a suggested "Out of Office Notification" form in an earlier packet and it is included as Attachment A. The form is intended to facilitate requests and tracking. It can be provided by email or hard copy and a supply of printed forms will be in the council office. City Council review of the proposed tentative working agendas provided as part of your Consent Calendar also offers a chance to note the intersection between councilor absences and critical meetings. Staff will avoid suggesting goals and process sessions, as well as certain other topic-specific meetings, when councilors forecast an absence.

2. Constituent contacts

The council agreed that staff should respond to service and operational questions and complaints that come to the Mayor and City Council, and inform the council of the outcomes. Reports from the Public Service Officer will be provided to the council every two weeks, summarizing staff responses, and council also will receive copies of acknowledgements to constituents that a request has been received and when to expect a response. CMO staff will continue to refine reporting on customer and citizen contacts, including those which occur in departments.

The council has provided direction or requested options for the following:

1. Requests for contingency funds

The council asked that staff offer stronger criteria for approving expenditures from contingency funds. These are included in Attachment B. To support these deliberations by council, staff will make the criteria available at council meetings – through an agenda item summary when the request is anticipated.

2. Work session polls as part of regular council business

Councilors in August voted to require a response to polls in a timely manner. As polls obtain sufficient votes, the Mayor and City Manager review the list of pending items, their relationship

to other council priorities and timing issues. The City Manager then recommends a Tentative Working Agenda, which is included with the Consent Calendar.

3. Time for more detailed committee reports

Committee reports currently occur twice monthly and are scheduled for 20 minutes. (With three-minute rounds, this time is insufficient if the Mayor, eight City Councilors and the City Manager each meets her or his time limit.) There are a number of alternatives to this approach, including:

- Expand this window of time to 30-45 minutes in one or both of these monthly sessions for general rounds.
- Schedule one 30-minute session each month for general rounds and one 60-minute session each month for specific updates, and set a rotation so that all committees are covered each quarter. On the plus side, the longer session would permit more substantive and regular reports and discussion. However, a potential downside is the additional restriction on council agenda time. If an extended work session each month is impractical, it could be scheduled quarterly; this would result in these more substantive committee reports only once a year. (See Attachment C for possible rotation.)
- Request quarterly written briefs from City staff, agency partners or individual councilors to highlight issues from committees. A template can be provided that focuses these briefs to make them useful, and as easy to produce (and quick to read) as possible.

A “Cheat Sheet” for committee reports also is provided as Attachment D, and is intended as a prompt for the regular updates on neighborhood meetings and committee work.

RELATED CITY POLICIES

Elements of this item relate to the council goal of “effective, accountable municipal government.”

COUNCIL OPTIONS

The council may provide input and direction for staff follow-up on the issues discussed. No formal action is anticipated.

CITY MANAGER’S RECOMMENDATION

No recommendations are offered by the City Manager.

SUGGESTED MOTION

No motions are offered by the City Manager.

ATTACHMENTS

- A. “Out of Office Notification” Form
- B. Contingency Fund Approval Criteria
- C. Committee Reports – 2011 Tentative Schedule Rotation
- D. Committee and Meeting Reports “Cheat Sheet”
- E. Council Operating Agreements

FOR MORE INFORMATION

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Mayor/City Councilor Out of Office Notification

Name:

Date:

I will be out of the office on the following date(s)

City Council business _____

Non-Council Business _____

Agenda requests:

Please postpone action on the following item(s)

Please reschedule the following item(s)

Comments:

CONTINGENCY FUND APPROVAL CRITERIA

City Council Process Session Follow-up

Issue: Should guidelines for council expenditure of General Fund Contingency be more restrictive?

Existing practice

The FY11 budget includes \$100,000 in General Fund Contingency. Contingency is an account established to help meet unanticipated funding requirements during a fiscal year. A council resolution or ordinance is required to move funds out of the contingency account into another account for expenditure. According to City of Eugene Financial Policies and Procedures, the council must approve requests for contingency before the resolution or ordinance. Criteria for these unanticipated situations include:

- a) An emergency situation that affects the health or safety of City employees or the public.
- b) A situation which, if not addressed, will result in a loss of City property or place the City in a position of liability.
- c) A situation which arises as a result of specific City Council/City Manager directives.
- d) A situation which will result in the City being able to provide services in a more efficient and effective manner. (This criterion must be associated with one or more of the three above-cited criteria in order to be used as a justification for requesting funds from a Contingency account.)

Proposed criteria

The FY11 budget includes \$100,000 in General Fund Contingency. Contingency is an account established to help meet unanticipated funding requirements during a fiscal year. A council resolution or ordinance is required to move funds out of the contingency account into another account for expenditure. According to City of Eugene Financial Policies and Procedures, the council must approve requests for contingency before the resolution or ordinance. Criteria for these unanticipated situations include:

- a. An emergency situation that affects the health or safety of City employees or the public, and for which targeted funding is immediately necessary to preserve service delivery or prevent significant, negative impacts in the community. (*Example: H1N1*)
- b. A situation which, if not addressed, will result in a loss of City property or place the City in a position of liability. (*Example: replacement of stolen copper wire for bike path lighting system*)
- c. A situation which arises as a result of specific City Council/City Manager directives for which financial needs could not have been identified during the budget process and funding is immediately necessary to assure conformance with legal requirements or to fulfill established obligations. (*Example: outdoor smoking ordinance – help defray required permit costs*)
- d. A situation which will result in the City being able to provide services in a more efficient and effective manner. (This criterion must be associated with one or more of the three above-cited criteria in order to be used as a justification for requesting funds from a Contingency account.)

COMMITTEE REPORTS SCHEDULE

Tentative

COMMITTEE	2010 REPRESENTATIVE(S) (Subject to change for 2011)	2010 ALTERNATE(S) (Subject to change for 2011)	QUARTERLY REPORTS
Budget Committee	All		NA
Human Rights Commission	Brown		Jan/April/July/Oct 2011
Sustainability Commission	Zelenka		Feb/May/ Aug/Nov 2011
Police Commission	Brown, Clark		March/June/Sept/ Dec 2011
Intergovernmental Relations Committee	Ortiz, Poling, Taylor	Piercy (non-voting)	NA
Travel Lane County	Poling		Jan/April/July/Oct 2011
Eugene Chamber of Commerce	Piercy		Feb/May/ Aug/Nov 2011
Lane Metro Partnership	Clark		March/June/Sept/ Dec 2011
Human Services Commission	Solomon, Piercy		Jan/April/July/Oct 2011
Housing Policy Board	Pryor		Feb/May/ Aug/Nov 2011
Lane Workforce Partnership	Taylor		March/June/Sept/ Dec 2011
Lane Council of Governments	Pryor (Chair)	Poling	Jan/April/July/Oct 2011
Lane Regional Air Protection Agency	Ortiz		Feb/May/ Aug/Nov 2011
Lane Transit District – EMX Steering Committee	Poling, Piercy		March/June/Sept/ Dec 2011

Metropolitan Policy Committee	Piercy, Zelenka (Chair)	Ortiz	Jan/April/July/Oct 2011
Metropolitan Wastewater Management Commission	Solomon		Feb/May/ Aug/Nov 2011
Oregon MPO Consortium (OMPOC)	Piercy		March/June/Sept/ Dec 2011
Public Safety Coordinating Council	Solomon		January/April/July/ Oct 2011
Public Safety Coordinating Council Juvenile Subcommittee	Clark		Feb/May/ Aug/Nov 2011
McKenzie Watershed Council	Taylor		March/June/Sept/ Dec 2011

Committee Reports – Cheat Sheet

Committee or Commission

- a. What are current issues, agenda items and topics of discussion?
- b. Has the group taken a position or is it considering an action?
- c. Will the group be seeking council action or support on an issue?
- d. Are there upcoming meetings or events that would interest the Mayor and City Council, or general public?
- e. Are there any other matters the Mayor and Council should be aware of?

Neighborhood Association

- a. Are there upcoming meetings or events that would interest the Mayor and City Council, or general public?
- b. What are the current issues and topics of discussion?
- c. Are there any particular challenges neighbors are dealing with right now?

EUGENE CITY COUNCIL OPERATING AGREEMENTS
RESOLUTION NUMBER 4930
ADOPTED FEBRUARY 25, 2008

INTRODUCTION

The Municipal Charter of the City of Eugene (Charter) and Eugene City Code, 1971 (E.C.), as well as the Oregon Revised Statutes (ORS) law govern many meeting requirements and actions of the Council. The Eugene Charter, Chapter 2 of the Eugene City Code, and various sections of ORS 192 and 244 are primary sources of these meeting and other operating requirements.

1. MEETING REQUIREMENTS

1.01 Time of Meetings

Regular meetings of the Eugene City Council (the Council) shall be on the second and fourth Mondays of each month. These meetings shall begin at 7:30 p.m. and shall end at 10 p.m., or when the agenda item considered by the Council at 10 p.m. is concluded. If those days are on a legal or religious holiday, the Council may schedule the meeting for the day immediately following.

1.02 Work Sessions

The Council may meet in work sessions beginning at 5:30 p.m. prior to its regular Monday meetings as needed. Other work sessions may be held on the second, third, fourth, and fifth Wednesdays of the month. These work sessions shall start at noon and last for a maximum of 90 minutes. Except for extraordinary circumstances, the total time for presentations by staff and/or others on a single agenda item shall be no more than 15 minutes.

1.03 Location of Meetings

Eugene City Council meetings shall be held within the jurisdictional boundaries of the City. Training sessions may be held outside the City limits, if no deliberations toward a decision are made. Inter-jurisdictional meetings may be held outside City limits, but should be as close to Eugene as practical. No Council meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced. For this purpose, meetings do not include visitations or attendance at any national, regional, or state association to which the councilor belongs.

1.04 Notice of Meetings, Special Meetings, Emergency Meetings

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media which requested notice. In the case of emergency or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 24-hour notice shall be included in the minutes of such meeting. As per both the Eugene Charter, Section 9, and Eugene Code, Section 2.007 (2), the Mayor or three of the members of the Council, may call a special meeting of the Council in manner provided in E.C. 2.007 (3).

1.05 Public Forum

A public comment period generally shall be the first item of every regular meeting of the Eugene City Council. The Public Forum shall not exceed a maximum of 60 minutes, unless a majority of Councilors present vote to extend the time. A motion to extend the time of the Public Forum is not debatable.

Persons wishing to speak at the Public Forum must sign up to do so not later than 5 minutes after the meeting has been called to order by the Mayor or presiding officer. The Mayor or presiding officer shall inform the audience of the requirement to sign up to speak not later than 5 minutes after the meeting has been called to order or prior to the conclusion of the Public Forum.

Members of the public may speak about any topic during the Public Forum, except as provided below. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. The Public Forum cannot be used to testify about an item that is not a public matter or which has already been heard by a Hearings Official, or to provide or gather additional testimony or information on a quasi-judicial matter after the official record has been closed.

Speakers at the Public Forum will be limited to three minutes. Generally, the speakers will be called upon in the order in which the “request to speak” forms are received by the staff at the meeting. No persons will be allowed to complete a “request to speak” form more than 30 minutes prior to the start of the meeting.

Should there be more speakers than can be heard for three minutes each during the 60 minute Public Forum, the staff will sort the “request to speak” forms in order to afford a greater opportunity for a number of topics to be heard during the Public Forum. If there are a large number of speakers on a single topic, staff is directed to intermix request to speak forms from persons wishing to speak on a less stated topic. The “request to speak forms,” in this case only, will not remain in the original order in which they were received in order to improve the likelihood that those smaller numbers of speakers will have an opportunity to speak before the Public Forum is closed.

When possible and feasible, preference will be given to individuals who reside within the legal limits of the City of Eugene. Persons who do not reside in the City of Eugene may be placed at the end of the list of those wishing to speak at the Public Forum.

At the end of the Public Forum each member of the Council has the opportunity to respond to comments made during the Public Forum. The time allocated to each member of the Council for such responses shall be up to three minutes.

1.06 Public Hearings

Public hearings shall be held at regular meetings and shall occur for all ordinances except under the terms delineated in E.C. 2.007 (4). Hearings may be scheduled on other items at the discretion of the Mayor and the City Manager. Persons wishing to speak shall submit a “request to speak” form prior to the commencement of the public hearing at which the person wishes to speak. The Mayor or presiding officer shall inform the audience of this requirement to sign up

prior to the commencement of a public hearing. Speakers will be limited to three minutes. Eugene Code 2.015(7) notwithstanding, councilors may ask clarifying or follow up questions of individuals providing testimony after that individual has completed his/her testimony. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The Mayor or presiding officer may intervene if a councilor is violating the spirit of this guideline. At the end of the Public Hearing, each member of the Council has the opportunity to comment on or discuss testimony given during the Public Hearing.

The Mayor and Council will be limited to commenting only on the main motion prior to discussing any proposed amendments. If an amendment to the motion is made during the initial round on the main motion, subsequent remarks on the amendments will be postponed until all wishing to speak on the main motion have done so.

1.07 Executive Session

All meetings of the Council shall be held in open session, except those meetings that may be closed for those purposes specified in the Oregon Attorney General's Public Records and Meetings Manual (ORS 192.610 to 192.690). These include the employment or dismissal of public employees, performance evaluation of the City Manager, labor negotiations, real property transactions negotiations, and consulting with legal counsel on pending or threatened litigation.

Notice of executive sessions shall be given as required by state law and that notice must state the specific provisions of law authorizing the session.

The Mayor and City Councilors are expected to maintain the confidentiality of the information discussed in legally noticed and conducted executive sessions as defined in Chapter 192 of the Oregon Revised Statutes.

1.08 Minutes

Written minutes shall be taken for all Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording. As a matter of courtesy and efficiency, councilors should notify the Mayor and other councilors that he/she intends to propose an amendment to the minutes and should propose replacement text in advance of the meeting at which those minutes are scheduled to be approved. If the proposed amendment is a simple factual, grammatical, or spelling correction, the amendment may be proposed without consulting the minutes recorder. If, however, the proposed amendment is substantive in nature or seeks to clarify the speaker's intent, or to expand his/her remarks for the record, the councilor should notify the minutes recorder and request verification of the proposed amendment.

1.09 Voting

Section 12 of the Eugene Municipal Charter states that, the Mayor only votes on matters before the Council in the case of a tie. Council members may not abstain from voting unless a conflict of interest has been declared.

1.10 Presiding Officer

The Mayor shall preside over Council meetings when present. The president of the Council shall preside if the Mayor is absent or unable to preside. The Council vice president shall have the powers of the Council president when the Council president is performing the duties of the Mayor. If the Mayor, Council president, and vice president are unavailable, the Council members present shall elect a temporary presiding officer.

1.11 Council Officers

Council officers shall be elected for one year terms in the manner prescribed in the E.C. 2.009, at the first regular meeting in each calendar year.

2. PLACING ITEMS ON COUNCIL AGENDA

2.01 Contact the City Manager

Contact the City Manager and explain the nature, scope and desired outcome of the item for the agenda, or make the request during a City Council meeting under “Items from Mayor and City Council” at a Council work session. The City Manager and Mayor may then decide to place the item on a future agenda.

2.02 Council Poll

Alternatively, an item may be placed on the Council agenda by councilor request. A councilor may ask Council support staff for a work session, and staff shall then poll all councilors, in writing, to ask if the item should be placed on the Council agenda. If, within five working days of distribution of the poll, a majority of the Council responds in the affirmative, the item shall be placed on the Council agenda within one week. A majority of the Council in this instance is four councilors.

2.03 Tentative Agenda on the Consent Calendar

At each regular meeting of the Council, the City Manager shall present the tentative agenda. This shall be placed on the Consent Calendar. If there are concerns about items on the tentative agenda it may be removed at the request of any councilors from the Consent Calendar and discussed separately.

2.04 Tentative Agenda Provided Each Week

The tentative agenda shall be included in the weekly information packet provided to the Council.

2.05 Scheduling of Items on the Agenda

The City Manager and Mayor shall decide the date that items come before Council for work sessions and for regular meetings.

2.06 Routine Business Items on the City Council Agenda

The City Manager shall continue to place routine and standard items of Council business on the City Council agenda.

3. ORDER OF ITEMS ON A SPECIFIC DATE MEETING AGENDA

3.01 Ceremonial Matters

At the first regular meeting of each month, the first agenda item shall be used to acknowledge special recognition or awards given to the City of Eugene or for the Mayor to read proclamations which serve to encourage and educate the community. Proclamations shall be made and placed on the agenda at the discretion of the Mayor. This item shall be called "Ceremonial Matters." Requests for recognition under Ceremonial Matters should be submitted in writing to the Mayor.

3.02 Consent Calendar

At regular Council meetings, in order to expedite the Council's business, routine and standard items shall be placed on the Consent Calendar. Any item on the consent calendar may be removed for separate consideration by any member of the Council. Revisions or corrections to meetings minutes shall be considered first, prior to other items removed from the Consent Calendar. The remaining items on the Consent Calendar may then be considered for action by a single vote. The items pulled from the Consent Calendar shall be considered after the approval of the remainder of the Consent Calendar and before the next scheduled item on the agenda. Ordinances, because of charter requirements, are not to be placed on the Consent Calendar.

3.03 Public Hearings Given Priority

As a guideline, public hearings shall be placed on the specific meeting agenda before items only requiring action. Further, public hearings expected to draw a small number of speakers shall be placed before public hearings for which a larger number of speakers is expected.

3.04 Items from Mayor and City Council

At work sessions held on the second and fourth Mondays of each month, the first item on the agenda shall be "Items from Mayor, Council and City Manager." The time set for this item will be 20 minutes, subject to change at the time the meeting is called to order.

4. COUNCIL ACTION ON AGENDA ITEMS

As a guideline, action on issues for which a public hearing has occurred shall not be taken at the same meeting at which the public hearing is held. In the case of an ordinance, the charter requires that an ordinance shall not be adopted by the Council unless it has been considered by the Council during at least two meetings. With the unanimous consent of the Council, the Council may consider and enact an ordinance at a single meeting if the Council does not amend the ordinance in a manner that modifies its substantive effect, (Charter, Section 28 (3)).

5. POSTPONING AGENDA ITEMS

Any councilor may request that an item be postponed to another meeting if he/she is unable to attend the meeting at which the item has been scheduled. As a courtesy, councilors should submit in writing a request to postpone to the Mayor as early as possible. If the Mayor is unavailable the request should be made to the City Manager or the Manager's designated staff member. A request to postpone may be requested for either a work session item or a vote on an agenda item. The request to postpone shall be honored unless a majority of councilors present, determines that the matter needs to be acted upon at that meeting.

6. COMMITTEES OF THE COUNCIL

6.01 Creation of Committees

While the City Code governs appointments to certain committees, the code grants broad general powers to the Mayor and Council to create subcommittees or special ad hoc committees of the Council. The Mayor shall nominate and the Council shall appoint the members of any committee established by the Council unless a different procedure is specified at the time the committee is established. The charge to the committee shall be clearly stated at the time the committee is established, and the committee shall disband when its work is complete. Committees may be composed of councilors, interested citizens or both.

6.02 Standing Committees of the Council

There is one standing committee of the Council, the Intergovernmental Relations Committee.

6.03 Standing Advisory Bodies to the Council

There are five standing advisory bodies to the City Council. These are created in the Eugene Code and exist to provide advice on policy matters. These are: 1) the Budget Committee; 2) the Planning Commission; 3) the Police Commission; and 4) the Human Rights Commission.

7. CONDUCT AT MEETINGS

7.01 Roberts Rules of Order

Conduct at Council meetings and committee meetings is governed by Roberts Rules of Order, Revised. The Council has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it. Council members shall avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues.

7.02 Other Meeting Guidelines

The presiding officer shall be responsible for ensuring order and decorum are maintained. Behavior or actions that are unreasonably loud or disruptive shall be cause for removal from Council meetings. This includes engaging in violent or distracting action, making loud or disruptive noise or using similar language, and refusing to obey an order of the presiding officer.

Council members speak only for themselves and shall be open, direct and candid. They work to keep discussion moving, and call for a “process check” if the discussion becomes bogged down. Time limits may be set on topics.

When councilors speak to each other during public meetings, last names shall be used during regular meetings and first names may be used during work sessions. The Mayor is, however, always referred to as “The Mayor.”

During public meetings, councilors generally should not attempt to edit or rewrite prepared ordinances. Amendments to an ordinance may, however, be appropriate. Generally, councilors should give direction to staff to bring back amended ordinances for Council consideration.

If a member of the Council intends to make a motion at a meeting which is not reflected in the agenda item summary, every effort should be made to contact other members of the Council to inform them of the intent and the text of the motion. City Council support staff should be notified

provided with the same information and may be asked to assist in the notification process.

Comment times for the Mayor and councilors at Council meetings or work sessions shall be as follows: the first round of comments by the Mayor and Council following a work session, public hearing, or when action is scheduled will be limited to no more than three minutes. If a second round of comments is requested, they will be limited to no more than two minutes, and third round comments will be no longer than one minute. This, however, will be at the discretion of the Mayor or presiding officer.

When an amendment to the main motion is introduced, comments will be limited to two minutes for the Mayor and Council until the presiding officer deems that one-minute limitations are necessary due to time constraints.

7.03 Public Conduct

The rules of conduct for members of the public shall generally be the same as for the Council. The Code prohibits any person from bringing in to a Council meeting flags, signs, posters, and placards unless authorized by the presiding officer. The Eugene Code specifically permits arm bands, emblems, badges, and other articles worn on personal clothing, so long as such items do not extend from the body in such a way as to cause injury to another.

8. COUNCILOR REQUEST FOR STAFF ASSISTANCE

8.01 Two-Hour Rule

Initiatives requiring more than two hours of staff time must be approved by the Council. Requests that involve less than two hours staff time or resources should be directed to the City Manager.

8.02 Major Request

A Councilor who desires major policy, ordinance research, or other staff assistance should first raise the issue at a Council work session. The Council should decide whether to proceed with the issue or ordinance before staff time is spent.

8.03 Tracking Council Requests

Except for routine inquiries, the City Manager shall respond to councilors' requests for information or assistance. The Manager shall assign these requests to appropriate City staff and track progress on the assignments. This process eliminates the possibilities of staff members duplicating each other's efforts or a request being overlooked. In each weekly information packet a list of current requests for assistance will be provided.

9. REPRESENTING CITY POSITIONS AND PERSONAL POSITIONS

9.01 Written Communications from City Councilors and Mayor

In written communication with other officials or groups and in letters for publication, such as "to the editor," the Mayor and councilors should be careful to decide whether to speak only for themselves or for the Council. In speaking for the Council, when there is a position which the writer wishes to reinforce or explain, it is useful to circulate a copy to the Council for comment before the letter is mailed. Letters to other elected officials or agencies on City issues shall be

discussed with the appropriate staff so that the City lobby effort can be coordinated.

When writing as an individual, a councilor or the Mayor is free to take any position which he or she feels is appropriate. When it is a point of view different from a Council position, this fact should be included in the letter. Use of City stationery and choice of pronouns shall be left to the discretion of the councilor or the Mayor.

The governing principle is to advise the Council or staff when expressing a City position, and to make differences clear when speaking as an individual.

9.02 State/Federal Lobbying

The effectiveness of City lobbying in Salem or in Washington, D.C., depends on the clarity of the City's voice. When councilors or the Mayor represent the City in a lobbying situation, it is appropriate that the councilors or the Mayor avoid expressions of personal dissent from an adopted Council policy. This policy is stated in Resolution No. 4139, Council Policy on Testimony and Funding Applications.

A councilor or the Mayor in disagreement with an adopted policy should not be deprived of the right to express such views to the appropriate officials at another time and another place. However, the councilor or the Mayor should feel bound to advise those to whom such disagreement is expressed that it is an individual view and that the Council has taken a different position.

9.03 Attending Conferences, Other Meetings

Councilors and the Mayor are encouraged to attend conferences and training sessions which would enhance their skills and knowledge. Any councilor or the Mayor may attend any meeting at which the Council is represented, but only the formally appointed official City Council representative or designated alternate, has the right to vote on matters being considered by the organization or group holding the meeting or conference. Individual councilors or the Mayor may state he or she is representing the City Council if he or she has been formally directed by the City Council to do so.

For local intergovernmental bodies or advisory groups, to which an official Eugene City Council representative has been appointed, the representative is to serve as an "instructed delegate," that is, to represent pertinent adopted city and Council policy. If possible, the Mayor or councilors should inform the other members of the City Council of the matters being considered by intergovernmental bodies, and to the greatest extent possible, seek direction from the City Council on issues directly pertaining to the City of Eugene and adopted city policy. The representative may express his or her own opinion, provided it is identified as such, but when voting or considering matters with policy implications or budgetary considerations, the representative must follow adopted City or Council policy and direction.

Participating in state and national groups such as the League of Oregon Cities and the National League of Cities presents the opportunity to enhance skills and knowledge, and are important avenues for the Mayor and councilors to advocate for the members of the community and the city itself. If the Mayor or councilors attend meetings of these organizations, an official voting

delegate should be selected by the City Council. This voting delegate, to the greatest extent possible, informs the Mayor and City Council of issues or matters on which the voting delegate may be asked to vote. If there is existing City or Council policy, the voting delegate will vote in accordance with that policy. When providing a report to the council (see Section 10.06), votes of the delegate should be included in that report.

If the Mayor or individual councilor serves on a committee of a state or national advisory committee and has been selected in an “at large” role, that is, not a specific seat or position for a City of Eugene elected official, that person should state the adopted City or Council policies. However, that person is not bound by the adopted policy and can represent his or her own position, provide that the person makes such a disclaimer.

10. COUNCILOR EXPENSES

10.01 General Guidelines for Reimbursed Expenses

Under the provisions of the City Charter, the City may pay a councilor or the Mayor expenses that are directly related to City business. It is each councilor’s and the Mayor’s responsibility to determine if expenses are actually City related. If there are questions about the propriety of such expenditures, the Manager shall first review the issue with the councilor. If the City Manager and the councilor cannot resolve the issue, the Manager shall discuss the matter with the Mayor. Receipts should be secured for any expenses and should accompany Council expense report forms to record mileage and other expenses. The forms shall be available from the City Manager's Office.

Activities that support or oppose a political campaign shall not be reimbursable.

10.02 Out-of-Town Expenses

Out-of-town expenses include those incurred while attending City-related conventions, conferences, training seminars, or meetings. Expenses that are paid by the City include fees for seminars or conferences; transportation to, from, and at the destination; and lodging, meals, and incidental expenses that are necessary to conduct City business.

10.03 Local Expenses

Local expenses include those incurred while representing the Council on a committee, attending meetings, attending local seminars or conferences, attending local special events, or meeting with groups or individuals to discuss City matters. Expenses that are paid by the City are detailed in Resolution No. 4375 and include meals, conference registration, transportation and necessary incidental expenses, and up to two community group memberships, not to exceed \$100 total. The reimbursement for bicycle mileage, as permitted in Resolution No. 4375, shall be \$.15.1 per mile as of September 1, 2002, and shall be adjusted each year at the same rate of increase as that of automobile reimbursement. Special materials such as books or directories may also be eligible for reimbursement.

If receipts are not available, a written description of expenses signed by the Councilor must be

submitted along with the Council Expense Report Form. Forms shall be available from the City Manager's Office.

10.04 Spouse/Guest Expenses

The City shall reimburse councilors or the Mayor for spouse expenses at local events when the councilors or the Mayor and spouse are jointly invited and the councilors are serving in their official capacity, such as a recognition dinner. The City does not otherwise reimburse councilors or the Mayor for expenses incurred by their spouses. If councilors or the Mayor wish to have spouses accompany them while attending out-of-town events, the City may make reservations and have travel and lodging expenses billed directly to the City. Councilors or the Mayor must then reimburse the City for their spouse's travel and lodging expenses. Reimbursement should be made as soon as possible so that the trip reconciliation process can be completed. When a guest is invited in place of a spouse, this reimbursement policy shall also apply.

10.05 Petty Cash

Expenses under \$50 can usually be reimbursed out of the petty cash fund in the City Manager's Office.

10.06 Travel Guidelines

Prior notification of out-of-town travel shall be given to staff responsible for travel arrangements in the City Manager's Office whenever possible. Registration and travel arrangements should be made well in advance so that the City can take advantage of reduced fares and early registration fees. Staff shall assist councilors in making transportation and lodging arrangements and arrange to have expenses billed directly to the City; contractors shall be chosen by staff, and not by councilors.

While at a conference, councilors or the Mayor shall be expected to attend conference sessions and, within 30 days, issue a written report to share the information and perspectives with the entire Council. If more than one councilor attends, a consolidated report may be written.

As a general guideline, each councilor is allowed two out-of-state conference trips per fiscal year. If a councilor wishes to make additional trips, the request should be brought to attention of the full Council and should be endorsed by a majority of the Council. This guideline is intended to cover trips made at the discretion of the individual councilor; it is not intended to be applied to trips related to service on national or regional committee, such as a committee of the National League of Cities.

10.07 Overseas Travel

If the Mayor or members of the Council wish to attend a conference or make a Council business-related trip to a destination overseas, this request shall be made in writing well in advance and shall be placed on the consent calendar for approval by the Council.

11. ETHICS

11.01 Reporting Requirements in ORS

In accordance with ORS 244.050, the Mayor and all councilors holding office on April 15 shall be required to file an Annual Verified Statement of Economic Interest with the Oregon Government Standards and Practices Commission on or before that date. The report must be filed on the form prescribed by ORS 244.060. Each year the form shall be mailed directly to the elected official by the Commission and should be returned directly to the Commission in Salem. Failure to submit the form by the April 15 deadline may result in the imposition of a civil penalty and/or removal from office.

11.02 Local Code of Ethics

The Charter requires that a code of ethics be enacted. This local code, found in the Eugene Code, places additional conflicts of interest requirements upon elected officials and creates a local process for filing complaints.

12. COUNCIL CHAMBER AND MCNUTT ROOM SEATING ASSIGNMENTS

The Council shall be assigned seats in January, following the election of the Council president and vice president. The Mayor is always seated at the center position with the Council president seated at the Mayor's right and the Council vice president seated at the Mayor's left.

The remaining councilors in alphabetical order by last name shall be assigned seats. Each person moves one seat toward the outside and to the opposite side of the table or dais; those on the outside move to the innermost seats on the opposite side. This system allows councilors the opportunity to regularly change seats throughout a four-year term. Below is a detailed listing of the seating sequence.

JANUARY

	Mayor	
President		Vice President
Councilor A1		Councilor B2
Councilor C3		Councilor D4
Councilor E5		Councilor F6

APRIL

	Mayor	
President		Vice President
Councilor F6		Councilor E5
Councilor B2		Councilor A1
Councilor D4		Councilor C3

SEPTEMBER

	Mayor	
President		Vice President
Councilor C3		Councilor D4
Councilor E5		Councilor F6
Councilor A1		Councilor B2

**CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL RELATIONS
OPERATING AGREEMENTS
ADOPTED BY THE CITY COUNCIL ON JANUARY 28, 2008**

1. Purpose of Council Committee on Intergovernmental Relations

The Council Committee on Intergovernmental Relations (IGR Committee) exists to make recommendations to the City Council on State and Federal legislative issues and on City applications for funding from outside agencies. At this time it is the only standing committee of the City Council.

2. Membership

The IGR Committee consists of three City Council members.

The three IGR Committee Council members are appointed annually by the Mayor in the normal course of appointments to various boards and commissions on which City of Eugene elected officials serve. The Mayor will appoint members that represent the City Council's political and ideological diversity.

The Mayor serves as an ex-officio member of the IGR committee.

3. Committee Chair

The IGR Committee shall elect a chair of the committee at the first regularly scheduled meeting after the Mayor has appointed the members to the IGR Committee.

4. Conducting the Business of Meeting

IGR Committee meetings are governed by Roberts Rules of Order, Revised. Like the City Council, the IGR Committee has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it.

5. Meetings

The IGR Committee meets as needed and generally meets more frequently when the Oregon Legislature is in session. Meetings of the IGR Committee are subject to the requirements of Oregon Public Meetings Law, ORS 192.620. The meetings shall be held within the jurisdictional boundaries of the City.

No IGR Committee meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced.

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media that requested notice.

6. Quorum

Two members of the IGR Committee constitute a quorum for the transaction of Committee business. Other members of the City Council may attend meetings of the IGR Committee, but shall have no authority or status to vote on matters considered by the IGR Committee during that meeting.

Unanimous votes of the IGR Committee require 3 votes, not 2 votes, should an IGR Committee member be absent.

An IGR Committee member may designate the Mayor to serve as an alternate in the member's absence.

7. Minutes

Written minutes shall be taken for all IGR Committee meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

8. Process for Sessions of the Oregon Legislature

The Regular Session of the Oregon State Legislature convenes in January of odd numbered years, with a Special Session convening in January of even numbered years. The Regular Session generally lasts for six months with the Special Session lasting for two months. In February 2008, the Oregon legislature convened a Supplemental Session in lieu of the Special Session, lasting for only one month. Supplemental Sessions may be held in subsequent even numbered years.

Preparation for the Regular Session is begun by IGR staff who meet with the members of the IGR Committee and other City departmental staff to outline legislative policies and concepts for the upcoming session based upon City Council goals, priorities, community needs and organizational issues. These concepts, after being vetted by staff and the IGR Committee, are then submitted to the full City Council for review and approval. Once the concepts are approved, they become the basis for the Legislative Policies document that serves as the cornerstone for position and lobbying efforts on particular pieces of legislation during the session.

The Legislative Policies document includes principles and precepts that will help determine the city position on bills. The City of Eugene first adopted a formal set of legislative policies prior to the 1985 session recognizing from past sessions that many staff recommendations were repeated from session to session and that a great percentage of a session's legislative proposals could be anticipated.

9. Process for Introducing Legislation

The City may wish to introduce legislative concepts on its behalf to the legislature. The IGR Committee meets and reviews all proposals for legislation prior to submittal to the Legislature.

- Any City staff or elected official interested in introducing legislation prepares a written overview of the purpose of the legislative concept and draft language for review by the IGR Committee. Once the IGR Committee has voted on proposed legislative concepts, the action of the IGR approval.

After the proposed legislative concepts have been reviewed and approved by the full City Council, legislative concepts that have been approved are presented to the Legislature for drafting. The bill, as introduced, is then presented to the IGR Committee under the regular bill review process.

10. Process for Review and Prioritization of Legislation

The Legislative session is relatively short and as a result, bills can move quickly through the legislative process. Regardless, the City will maintain a neutral position on any bills not yet reviewed by City staff and acted upon by the IGR Committee.

Review by City staff:

- Once the bills are introduced, they are assigned by an IGR staff person to the appropriate LC for review.
- Legislative Coordinators (LCs) in the appropriate City department analyze all introduced bills that are of interest to or may affect the City. LC staff is determined by each Department.
- LC staff turnaround for review and analysis of a bill is expected to be within 10 working days of the assignment of a bill unless the movement of a bill warrants a faster turnaround. In those cases, IGR staff will contact the LC and arrange for a faster review.
- If a bill addresses one or more of the policies presented in the Legislative Policies for that session, the particular policy is noted in the LC staff's analysis of the bill.
- LC staff will relay both the pros and cons of a bill in their comments as well as any amendments that would make the bill more favorable.
- LC will assign each bill a priority and a recommendation.

Legislative advocacy is done on the basis of a priority and recommendation system. LC staff recommends a "support," "oppose," "neutral," "monitor," or "drop" recommendation for all reviewed bills. LC staff also recommends a priority of 1, 2, or 3 on all reviewed bills.

The three priority assignments for legislative bills are as follows:

PRIORITY ONE BILLS – The issues addressed by the bill are identified in the City's Legislative Policies document. The bill would have a significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: Both IGR staff in Salem work on the bill, with a high support level from the legislative coordinator(s) assigned to the bill. The Mayor and/or Council members may testify before committees, possibly with both IGR staff and/or a legislative coordinator. IGR staff contacts all or close to all members of all committees the bill is assigned to. Depending on topic and recommendation, IGR staff will also contact as many legislators as possible prior to public hearings or work sessions. In the event of a floor vote, IGR staff contacts as many legislators as possible in the 2-5 day period between committee passage and the floor vote. Handouts would be placed in the Capitol mailboxes of all legislators prior to a floor vote.

PRIORITY TWO BILLS – The issues addressed by the bill are identified in the City’s Legislative Policies document. The bill would have some impact, although manageable, on City operations, services, or finances and would impact administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of high interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: IGR Staff in Salem work closely with legislative coordinators. If the bill is a City specific issue, IGR will testify, with a legislative coordinator if necessary. This, may necessitate the involvement of an executive or expert department staff or the Mayor and/or Council members. If it is an issue less specific to the City, written testimony will be offered. IGR staff will contact members of the bill’s committee prior to a bill being passed out of committee. In the event of a floor vote, IGR staff will submit letters to all legislators and try to contact as many of them as possible, starting with our delegation first, and then to legislators we suspect might be “swing votes.”

PRIORITY THREE BILLS - The issues addressed by the bill are alluded to in the City’s Legislative Policies document or included in other policy document or direction. The bill would have a slight impact on City administration, operations, or services, with potential implications for City finances, either negatively or positively. The bill requires tracking because amendments could elevate bill to Priority One or Priority Two. The issues addressed by the bill are of slight interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: Depending on recommendation, IGR staff contacts committee members from local delegation, as well as the committee chair or submits written testimony or letter to proper committee, with no further involvement. In the event of a floor vote, IGR staff will submit letters to all legislators.

Review by the IGR Committee:

- The bill is placed on the IGR Committee agenda for review as soon as possible after all applicable staff has commented on the bill.
- The IGR Committee meets and reviews all bills on the IGR Committee agenda and may pull any or all bills off the agenda for discussion.
- Any LC staff that has reviewed and commented on a bill that is pulled for discussion will be prepared to discuss the bill at the IGR Committee meeting.
- If a bill is not pulled for discussion, the staff recommendation stands. If a bill is pulled for discussion, the IGR Committee may keep or change the staff recommendation. The IGR may also direct that IGR staff work to amend a bill.
- The IGR Committee votes on all bill priorities and recommendations; the votes need not be unanimous – with unanimous being 3 votes.

The actions of the IGR Committee are presented on the full City Council’s agenda for review and approval. The minutes of the IGR Committee are ratified by the City Council. Any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any councilor or by the Mayor.

11. Status of Positions on Bills until Final Ratification by the City Council

Time demands in the Legislature may not allow for each bill on which the IGR Committee takes a position to be fully vetted by the full City Council before some type of action on the bill needs to occur.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be neutral until the full City Council weighs in and directs a position. The bill will then be placed on the next available City Council agenda.

Although any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any councilor or the Mayor at the City Council meeting, as a matter of practice and courtesy to the members of the Council who do not sit on the IGR Committee, any bill on which the IGR Committee is not in unanimous agreement will be specifically noted.

The City Council can modify the position taken by the IGR Committee on a bill; the final direction to staff on any bill comes from the City Council.

12. Process for Federal Lobbying Efforts

The IGR Committee and IGR staff address Federal lobbying priorities in concert with a number of the City's local governmental partners.

The Federal priorities begin with a review of opportunities for funding in the next Federal budget and goals that are specific to Eugene or the area. The IGR Committee meets and reviews the list of potential priority projects. Potential projects should be those projects which have already gone through the proper authorization channels and are "shovel ready" projects. Once the IGR Committee reviews the list of potential projects, the Committee develops a list of project goals that are considered to be achievable.

After the proposed goals have been vetted by staff, United Front partners, and other community partners, and the IGR Committee, the priorities list is then presented to the full City Council for review and approval.

The final list becomes part of the "United Front" agenda which is presented to the area's congressional representatives, executive department staff, and other potential funding sources in Washington, D.C. The attendees on the lobbying trips typically include the Mayor, chair of the IGR Committee, and appropriate City staff.

13. Grants and Funding Applications

The IGR Committee acts on staff recommendations for grant and other funding applications from outside agencies such as governmental or private entities. This process is intended to help avoid situations in which City departments may inadvertently be competing with each other for funding, and to allow the IGR Committee and City Council to review staff plans for expenditures of grant funds.

City staff interested in seeking funding prepares a written overview of the funding application for

review by the IGR Committee at its next regularly scheduled meeting.

If timing is critical and there is no IGR Committee meeting scheduled, the Committee may give its approval via e-mail. IGR staff will keep full and complete records of the documents related to the request for funding, the electronic notification of the request to review and the disposition of the request.

In all cases the IGR Committee and City Council have authority to direct that an application not go forward or if it has already been submitted, that it be withdrawn.

14. Resolution 4908

On April 18, 2007, the City Council adopted Resolution No. 4908, “A Resolution Establishing Policy Governing City Testimony and Funding Requests, and Repealing Resolution No. 4139”. This speaks to the issue of testimony before legislative bodies, funding requests and the role of the Council in setting legislative policy. This Resolution is incorporated into this document as Attachment A.

15. City Council Operating Agreements

The operating agreements of the IGR Committee are to be incorporated into the Operating Agreements of the Eugene City Council. As the IGR Committee is a subset of the City Council, any and all process and operating agreements supersede this document. All process and operating agreements of the City Council, by extension and when relevant apply to the IGR Committee.

Attachment A: City of Eugene Resolution 4908.

RESOLUTION NO. 4908

**A RESOLUTION ESTABLISHING POLICY GOVERNING
CITY TESTIMONY AND FUNDING REQUESTS, AND
REPEALING RESOLUTION NO. 4139.**

The City Council of the City of Eugene finds that:

- A.** Under the Eugene Charter, it is the exclusive role of the City Council to set legislative policy for the City.
- B.** On September 13, 1989 the City Council adopted Resolution No. 4139 establishing policy governing testimony and funding requests by City representatives.
- C.** The City Council has determined that Section 7 of Resolution No. 4139 should be repealed.
- D.** The Council finds that Resolution No. 4139 should be repealed in its entirety, and its provisions, other than Section 7, be readopted as hereinafter set forth as City policy governing testimony before the Federal government, the Legislative Assembly of the State of Oregon or its committees, State agencies, or municipal corporations, and submission of funding requests to such entities. As used herein, in addition to the Congress of the United States, references to "Federal government" includes all committees, commissions, departments, agencies, bureaus, and governmental divisions or instrumentalities of the United States.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based upon the above findings, which are adopted herein, Resolution No. 4139, adopted by the Council on September 13, 1989, and any other Resolution in conflict herewith is hereby repealed as of the effective date of this Resolution, and City policy governing testimony and funding requests is established as hereinafter set forth.

Section 2. Any employee or agent of the City, the Mayor or any member of the City Council or any City board or commission desiring to testify in his or her official capacity on legislative or regulatory matters before the State Legislative Assembly, State agencies, municipal corporations, or the Federal government, or desiring to submit funding requests for municipal activities thereto or to any private foundation, shall present the essence of the testimony or funding request to the Council for prior approval, modification, or disapproval.

Section 3. No employee, agent or officer of the City shall testify on legislative or regulatory matters before a governmental entity or request funding from a public or private source in his or her official capacity contrary to the adopted policies of the Council. The Mayor, members of the City Council, and members of City boards or commissions shall not make a

Resolution - 1

funding request contrary to the adopted policies of the Council. No such person shall testify contrary to adopted policies of the Council unless prior to the presentation the speaker submits to the governmental entity a written statement of the City's position and orally acknowledges before speaking that the testimony will be contrary to the City's position. Summaries of all testimony delivered under this section shall be provided to the Council. Each summary shall include a description of the time, place and group before which the statement was made.

Section 4. In the event time pressures do not permit the Council to consider the testimony before the intended time of presentation by a representative of a City board or commission, the person may speak for the board or commission, but must explain that the Council has not considered the issue. Summaries of all testimony under this section shall be provided to the Council.

Section 5. Any officer, employee or agent of the City, the Mayor, or a member of the Council or a City board or commission may take a position before or request funding from administrative staff of State agencies, municipal corporations, the Federal government, or private foundations without prior approval of the Council, but must declare that consideration and approval of the Council has not been obtained if that is the case. This declaration need not be given if the position or funding request presented represents application of previously adopted Council policies with respect to the issue being considered.

Section 6. If the City Manager, or his or her designee determines it is important that the City of Eugene speak on a legislative issue or apply for available funds and the hearing schedule or funding application deadline does not permit prior Council approval, the City Manager or his or her designee is authorized to speak on behalf of the City of Eugene after consultation with the Council Legislative Committee Chair. Summaries of all testimony delivered or funding applications submitted under this section shall be provided to the Council.

Section 7. This Resolution is not to be construed to abridge the rights of individuals to testify in their own names.

Section 8. The provisions of this Resolution do not apply to testimony before an agency or court in a quasi-judicial or judicial proceeding.

Section 9. Copies of this Resolution shall be distributed to the departments, boards and commissions of the City of Eugene and, as deemed appropriate by the City Manager, to the Federal government, State Legislative Assembly, State agencies, municipal corporations, and private foundations before presentation of testimony or funding requests. The City Manager is directed to take any other necessary administrative action to implement this Resolution.

Section 10. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 18th day of April, 2007.



City Recorder